

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:

ALDEN H. ZUHLKE and
LISA A. ZUHLKE,

Debtors.

PHILIP M. KELLY, CHAPTER 7
TRUSTEE,

Plaintiff,

v.

ALDEN H. ZUHLKE, LISA A. ZUHLKE,
DEREK A. ZUHLKE and KIMBERLY A.
ZUHLKE, DILLAN A. ZUHLKE and
MICHELLE L. ZUHLKE,

Defendants.

FARM CREDIT SERVICES OF AMERICA,
FLCA,

Intervenor.

Case No. BK 24-40267-BSK
(Chapter 7)

A24-4011-BSK

MOTION TO EXTEND DEADLINE
FOR TRIAL

COMES NOW Plaintiff Philip M. Kelly, Chapter 7 Trustee (the "Trustee"), and respectfully requests an extension of the date of trial from April 1, 2025 for sixty (60) days. In support hereof, the Trustee shows to the Court as follows:

1. In their joint preliminary pretrial statement, the Plaintiff and defendants Derek, Kimberly, Dillan and Michelle Zuhlke stated that they would be prepared for trial by April 1, 2025. A trial date has not yet been set by the Court.

2. The Trustee has been requesting dates for the taking of depositions in this case since November 11, 2024. To date, only two of the Farm Credit Services of America ("Farm Credit") employees have been deposed.

3. The parties have not been able to agree on mutually acceptable dates for depositions of additional Farm Credit employees and other witnesses due to conflicting calendars of counsel and two witnesses.

4. It is anticipated that in addition to the Farm Credit employees, the parties will take the depositions of experts, once their reports are exchanged. The deadline to exchange expert reports is March 18, 2025.

5. Other witnesses may need to be deposed in this case, once the depositions of the Farm Credit employees have been concluded, including, but not limited to, Douglas Hall, President of Sunshine Ranch Co., Inc.

WHEREFORE, Philip M. Kelly, Chapter 7 Trustee, requests that the Court extend the date for trial from April 1, 2025 for sixty (60) days.

PHILIP M. KELLY, CHAPTER 7 TRUSTEE

By: /s/ Richard P. Garden, Jr.
Richard P. Garden, Jr. - #17685
John F. Zimmer, V - #26127
CLINE WILLIAMS
WRIGHT JOHNSON & OLDFATHER, L.L.P.
233 South 13th Street
1900 U.S. Bank Building
Lincoln, NE 68508-2095
(402) 474-6900
rgarden@clinewilliams.com
jzimmer@clinewilliams.com

CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent notification of said filing to all CM/ECF participants.

/s/ Richard P. Garden, Jr.
Richard P. Garden, Jr.